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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/916,919	07/27/2001	Shu Lin	PU 010161	8797
24498	7590	01/25/2006	EXAMINER	
THOMSON LICENSING INC.			BOCCIO, VINCENT F	
PATENT OPERATIONS			ART UNIT	
PO BOX 5312			PAPER NUMBER	
PRINCETON, NJ 08543-5312			2616	

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/916,919	LIN, SHU	
	Examiner	Art Unit	
	Vincent F. Boccio	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE 12/29/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2616.

Response to Arguments

1. Applicant's arguments filed 12/29/05 have been fully considered but they are not persuasive.

{A} In re pages 6-19, applicant argues that Tanaka does not anticipate different programs, which is the basis for the thereafter arguments.

In response a program is defined as "a sequence of signals transmitted for entertainment or information", according to IEEE dictionary every day meaning.

Therefore, Tanaka has three inputs representing a video program, while having means to receive 4 audio programs.

The examiner reads the video program and audio programs can be called different programs, video is not audio and audio is not video, because they are different, wherein the plurality of sequences of signals or programs, being different types, audio and video, in Tanaka, corresponds to the multimedia inputs.

{B} In re page 11, applicant states that the four channels of audio really are a single audio signal or program.

In response, the claims fail to define a program as argued. The examiner incorporates by reference the arguments by the examiner, "The claims are read on light of the specification, the specification is not in the claims, the claims are read in view of the scope of the words used", therefore all arguments are not deemed persuasive with respect to the specification, the examiner has a copy of applicant's specification.

{C} In re page 12, applicant argues the claim language used, such as and states, "Tanaka fails to anticipate .. encoding the sampled multimedia inputs such that the number of encoding devices required to encode the sampled multimedia inputs is less than the number of the plurality of programs."

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Since based on the above arguments as foundation the examiner also can not agree based on above the definition of a program.

Tanaka reads on the claim language used, encoding the sampled multimedia inputs such that the number of encoding devices required to encode, the sampled multimedia inputs is less than the number of the plurality of programs.

The claims does not require any specific relationship between program and multimedia inputs, they could be the same or different.

The claims also fail to be specific as to what type of encoder, as the examiner would like to remind applicant that an encoder is an element which merely requires to change the form of an input signal to the output, therefore, also anything reads on an encoder.

Based on above, Tanaka reads as having a plurality of multimedia inputs, three inputs for one video program, four inputs for four separate different inputs of audio, wherein audio is different than video, wherein each input is a program and also reads on a multimedia signal, which is any of audio or video or a combination thereof, therefore, based on above,

Tanaka reads on the claim language used, encoding (100 and 101, therefore two, or alternatively the encoder read on 102, even, head 104, therefore, one encoder), the sampled multimedia inputs (either {54, 55, 56} & {66, 67, 68, 69}, therefore, either 7 or one for video and 4 audio, therefore, 5), therefore, such that the number of encoding devices required to encode, the sampled multimedia inputs is less than the number of the plurality of programs.

Therefore, the claim language used to brad enough to read on Tanaka.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use

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or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 6-7, 12-17 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka (US 5,764,847).

Since the claims have only been amended to further recite

- wherein each of the plurality of multimedia inputs, each having at least one respective different program, is still deemed to read on the prior art as previously applied, because a program reads on one audio input or one video input therefore met by the art applied.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

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4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (US 5,764,847) in view of Campbell et al. (US 4,967,271).

The examiner incorporates by reference the last action against the claims in combination with the rejection of claim 1 above.

5. Claims 5, 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (US 5,764,847) in view of Sato et al. (US 5,566,174).

The examiner incorporates by reference the last action against the claims in combination with the rejection of claim 1 above.

6. Claims 8-9, 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (US 5,764,847).

The examiner incorporates by reference the last action against the claims in combination with the rejection of claim 1 above.

Contact Fax Information


Any response to this action should be faxed to:

(571) 273-8300, for communication as intended for entry,
this Central Fax Number as of 7/15/05

Contact Information

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record, Monday-Tuesday & Thursday-Friday, 8:00 AM to 5:00 PM Vincent F. Boccio (571) 272-7373.

Primary Examiner, Boccio, Vincent
1/23/06


VINCENT BOCCIO
PRIMARY EXAMINER